



**RULES AND REGULATIONS**  
**of the**  
**BANGOR MUNICIPAL CEMETERIES**  
**BANGOR, MAINE**

Amended January 16, 2001

## **FOREWARD**

It is the desire of the City to make the Bangor Municipal Cemeteries quiet, beautiful resting place for the dead where a sense of repose will be obtained by dignified landscape effects on a well-maintained lawn. To secure these effects, the City has spent and will continue to expend considerable sums of money. Preserving these effects will require the cooperation of every lot owner. Anything which would mar the general beauty and harmony of the cemeteries must be avoided. Peace and good order must prevail, and the sacredness of the place must be maintained at all times. It is to this end that these rules and regulations have been made effective, and the suggestions as contained herein are offered.

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## **Section 1**

### **PURCHASE OF LOTS**

Persons desiring to purchase a lot in the cemeteries are referred to the Cemetery Superintendent. The Superintendent will have available suitable plots showing size and price of lots, and such other information as may be required and will be pleased to render assistance to those desiring to make lot purchases. Upon having made a lot selection, the Superintendent will issue a lot order to the Treasurer in City Hall, where the lot sale will be made and the deed issued. The Cemetery Superintendent or his assistant may act as the agent of the City Treasurer whenever necessary.

## **Section 2**

### **OWNERSHIP AND TITLE OF LOTS**

2.1 The term "Lot Owner" or "Ownership" shall be construed to mean the rights to use a lot or part of a lot, as purchased from the City for a consideration for burial purposes only, and under the rules and regulations as prescribed by the City for such use.

2.2 Upon full payment of the purchase price of a lot, the City will issue a Cemetery deed under its seal, and the deed will be recorded in the records of the City as evidence of ownership of the lot.

2.3 All burial rights in cemetery lots purchased from the City occupy the same position as real estate at the death of the owner. Only such persons as names appear on the Cemetery records of the City will be recognized as owners or part owners of lots. In case of the death of a lot owner, when the Cemetery lot is disposed of, by will, a certified copy of the will shall be delivered to the Cemetery Superintendent before the City will recognize the change in ownership. If the deceased lot owner left no will, a certified copy

of the proof or heirship made in the District Court must be presented to the Cemetery Superintendent. Lot owners, in making their wills, should include the cemetery lot and will it to one person.

2.4 The title to a cemetery lot invests in the owner the right to use such lot for burial purposes only, for themselves, their heirs, or for any such persons as they may choose to admit, provided such admission is free of charge and without compensation and in accordance with the Cemetery Rules and Regulations.

2.5 The lot owner cannot resell or transfer their lots to any person or persons whomsoever, without written notification to the Cemetery Superintendent. However, such unused portions of the lot as the owner may desire to dispose of may be listed for sale with the Cemetery Superintendent. The City, however, assumes no obligations for making a satisfactory sale of such lots or portions of lots.

2.6 Lots will be of such size as to accommodate two graves. The cost of said lots will be as specified herein.

### **Section 3** **CARE OF LOTS**

3.1 All cemetery lots in the Bangor Municipal Cemeteries may be provided with perpetual or endowed care. Council Order No. 80K makes these rules and regulations effective and provides that all-future lot sales shall be made with perpetual or endowed care at the rates as herein specified. Owners of lots or other interested persons may secure

perpetual or endowed care of the lots in the older portions of the cemeteries at the rates specified herein.

3.2 The term "Perpetual or Endowed Care" shall be construed to mean the obligation which the City assumes to expend each year the net annual income on the "Perpetual or Endowed Care" endowment set aside for the lot in furnishing such care for the lot as mowing grass and raking and cleaning lots. It is understood that such expenditures shall be made at the discretion and under the direction of the officer of the City in charge of the Cemetery and that the City shall not be bound to make any separate investment of the sum of money set aside as the perpetual or endowed care, but that the same be added to the perpetual or endowed care fund of the city and that proceeds therefrom used by the City in a manner as heretofore provided. Nothing herein shall be construed as modifying any existing contracts as to perpetual or endowed care.

3.3 An "Annual Care" charge as provided herein may be made by the City on those lots in the older portions of the Cemeteries which are not at present under perpetual or endowed care. The City reserves the right to refuse to furnish services to those lots not under perpetual or endowed care or when the annual care charge has not been paid in advance.

3.4 "Annual Care" includes the regular mowing of the lot, trimming around monuments and markers, fertilizing when necessary, pruning trees and shrubs, except hedges. Charges for annual care are \$35.00 per lot and are payable annually, in advance.

### **Section 3.5**

### **SUGGESTIONS**

3.5 It is urged that lot owners interest themselves in the present and the future care of their lots as a single neglected lot mars the beauty of an entire section.

It is important that care be taken in selecting a monument to get a design which will harmonize with its surroundings. It is desirable that the Cemetery Superintendent be consulted before ordering monumental work.

### **Section 4**

### **PRIVILEGES AND RESTRICTIONS**

4.1 Each lot in the cemetery will, prior to its sale, be suitably marked by the City with an iron or concrete post, placed on each lot corner and set level with the adjacent ground.

4.2 No mounds shall be raised upon any grave above the general level of the lot. Mounds are difficult to maintain, as the sod grows in an unnatural position and is easily injured by heat, drought, and frost. The City reserves the right at any time to remove unsightly mounds and to resod the grave at the general level of the lot.

4.3 No hedges, fences or enclosures of any kind will be permitted on or around lots. Window boxes, tubs, urns and other similar containers kill the grass and should not be used and will not be allowed after June 15, at which time they will be removed without notice.

4.4 Artificial decorations will be allowed only from November first to June fifteenth annually.

4.5 Fresh flowers in vases or baskets are allowed anytime as are plants in beds adjacent to monuments.

4.6 All general maintenance and all work on lots paid for by perpetual care or annual care payments will be done by the City, but it is desired that each lot owner feel free to consult with the Superintendent in charge of the cemeteries at all times. His advice and assistance will be cheerfully given (without charge) and may be of much value to those contemplating the purchase of monumental work or of making lot improvements.

4.7 The Cemeteries reserve the right for its workmen and those persons necessary to the performance of normal cemetery operation to enter upon or cross over any lot in the cemeteries in the performance of such duties.

4.8 The Cemeteries or their employees assume no liability for damage, actual or mental anguish, in the performance of their normal operations, or loss by vandalism or other acts beyond reasonable control.

## **Section 5**

### **RULES FOR VISITORS**

5.1 The cemeteries will be open to visitors at all times between the hours of 7:00 AM and sunset.



5.2 Children under fourteen years of age will be admitted only when accompanied by parents or guardians.

5.3 Persons or picnic parties with refreshments will not be admitted. Dogs, with the exception of seeing eye dogs, will not be allowed in the Cemeteries.

5.4 Firearms will be allowed in the Cemeteries only at military funerals.

5.5 Visitors are required to use the walks and drives and are forbidden to trespass on cemetery lots, or pick any flowers (either wild or cultivated) or injure any shrub, tree, or plant, or mar or deface any monument, stone, or structure in the Cemeteries.

## **Section 6**

## **INTERMENTS**

6.1 All interments in lots shall be restricted to members of the family. If there is any doubt regarding the relationship of the deceased to the family who owns the lot, a copy of the deed will be reviewed by the Cemetery Superintendent before the grave is opened. The Cemetery Superintendent may request a meeting with family members if there are any questions pertaining to ownership or placement of the deceased on the lot.

6.2 All graves shall be dug by the City under the direction of the Superintendent.

6.3 A charge for opening and closing a grave and the sodding and seeding of the mound will be made as provided herein. The fee for opening the grave may be collected from the family prior to the grave opening or from the funeral director on the day of the interment.

6.4 Funeral directors must present a burial permit to the Cemetery Superintendent on the day of interment.

6.5 The lot owner or funeral director shall designate the location of the grave on the lot to the Superintendent and any change of location made after the opening of the grave has begun shall be at the expense of the lot owner. The Cemetery Superintendent shall be given twenty-four hours notice in summer and thirty-six hours notice in winter (from November 1<sup>st</sup> to May 1<sup>st</sup> for the opening and preparation of the grave prior to the interment.

6.6 An additional charge as provided herein shall be made for a service on Saturday, Sunday or legal holidays.

6.7 The interments of two bodies in one single grave space will not be allowed, except in case of parent mother and infant, or twin children or two cremated remains, or two children buried at the same time. In the event that a husband or wife is buried in a vault and the surviving spouse desires to be cremated, the cremated remains of the surviving husband or wife will be allowed to be placed in the same burial plot. No interment of any body other than that of a human being will be permitted.

6.8 In all interments the casket shall be enclosed in a permanent outside container. The following are considered permanent outside containers: concrete boxes, concrete, copper or steel burial vaults, and sectional concrete crypts.

6.9 As soon as flowers, wreaths, emblems, etc. used at funerals, or placed on graves at other times, become unsightly and faded, they will be removed and no responsibility for their protection or maintenance is assumed.

## **Section 7**

## **REMOVALS**

7.1 Removal of bodies from graves in the Cemeteries will only be made by the City in accordance with the requirements of the Statutes of the state. Charges made by the City for removal will be made in accordance with the difficulty of the work and are payable in advance.

7.2 Owners or their heirs desiring graves opened shall secure the necessary disinterment permit from the City Clerk and deliver the same to the Cemetery Superintendent. All removals will be made by the City under the supervision of a licensed funeral director.

7.3 For sanitary reasons, graves will not be reopened for inspection except for official investigations.

7.4 Any markers or monuments designating the location of an interment shall be removed at the time a disinterment is made.

## **Section 8                      STONE AND MONUMENTAL WORK**

8.1 All stone and monumental work shall be subject to the following regulations and requirements.

8.2 All memorial foundations shall be placed on solid ground not included in actual grave space, except where grave liner is of permanent type and sufficient strength to support weight of foundation and memorial.

8.3 Each monument or grave marker 12"x24" or over, or one foot(1') high or over, shall rest on a concrete foundation. On any lot sold after the adoption of these rules and regulations, each monument or grave marker 10"x20" or over, or one foot high or over shall rest on a concrete foundation. Large monuments or those monuments requiring special foundation design shall be specifically approved by the Cemetery Superintendent and the City Engineer before construction. Plans and specifications for such monuments should be submitted to the Cemetery Superintendent and the City Engineer for approval.

8.4 The foundation for grave markers and monuments will, in general be carried to a depth of not less than five (5) feet below the ground level. For large monuments, the City

reserves the right to require the construction of a foundation of such size and design as will provide ample insurance against possible settlement or injury to the stone work. The top of the concrete foundation will be constructed approximately two (2) inches below the grade level.

8.5 The setting of monuments, stones and markers and the transportation of all tools, Materials, etc., within the Cemetery grounds shall be subject to the supervision and control of the Superintendent. Heavy teaming or trucking will not be permitted within the Cemeteries when in the opinion of the Superintendent such work might cause injury to the driveways.

8.6 Stone or monumental work will not be permitted on a lot until the lot is fully paid for, and the City reserves the right to refuse permission to erect any monumental work not in keeping with the good appearance of the grounds.

8.7 Stone work or monumental work once placed on its foundation shall not be removed, except by permission of the Superintendent of the Cemeteries.

8.8 Markers shall be placed at the head of a grave as platted. No markers shall be placed nearer than 4 inches to a lot line. No more than one marker shall be placed at any one grave. No marker shall embrace two or more graves unless all graves are on the same lot owned by one person. No marker shall be set unless it meets with these regulations, and the grave space is paid for in full.

8.9 Certain designated portions or the older parts of the Cemeteries have restricted monument privileges, which permit the erection of monuments or grave markers of any selected size and design. Lots in the newer sections of the Cemeteries are restricted to flush markers.

8.10 Flush Markers: In sections designated as flush marker sections, all markers shall be set so that the top is flush with the ground. Flush markers or horizontal monuments on lots in those sections may not exceed seven(7%) of the lot area. All flush markers must be made of granite and shall be set on adequate concrete foundations.

## **Section 9 VAULTS AND MAUSOLEUMS**

9.1 Vaults and mausoleums may be placed only on such lots as may be set aside or designated by the City for such structures. All applications for permits to erect such structures shall be made in writing to the City Manager. Complete plans and specifications of the proposed construction, including details of materials, workmanship, method of construction, etc., shall accompany such application and the approval of the City Manager shall be obtained thereon before any construction work is begun. The right is reserved to prohibit the erection of any structure that is not considered safe, suitable, or desirable.

9.2 Before any vault or mausoleum may be erected the lot owner will be required to deposit in the Perpetual Care Fund of the City such amounts as the City may deem necessary as a trust, the income from which is to be used in the perpetual care and maintenance of the structure and the ground. Such amounts in no cases shall be less than twenty-five percent (25%) of the structure.

9.3 Duplicate keys for mausoleums shall be left in care of the Superintendent of Cemeteries.

9.4 Vaults or mausoleums will not be permitted on lots containing less than (1,000) square feet and the portion of the lot occupied by the building shall not exceed twenty percent (20%) of the lot. The position of the building on the lot shall be as determined by the City but in no case will permission be given to set the building nearer to the lot line than ten (10 feet).

## **Section 10                      TREES AND SHRUBS AND FLOWERS**

10.1 All general maintenance in the Cemeteries will normally be done by the City but lot owners may feel free at any time to consult with the Superintendent regarding matters pertaining to permissible plantings or the general care and upkeep of lots.

10.2 No person will be permitted to trim, prune or remove branches from any tree of ornamental shrub in the Cemeteries except on his own lot. All work of pruning or

trimming trees and shrubs shall be done by the Superintendent or under his directions.

Upon request, the Superintendent will do any pruning needed without charge.

Permission to plant trees or shrubs on lots shall in all cases be obtained from the Superintendent and the City reserves the right to remove any tree, shrub, or vine, or any part thereof which may have become unsightly, dangerous, or not in keeping with the landscape design. Many plants, especially vines, interfere with the proper care of the lots and graves and injure grass. Such plants will be removed when found interfering with the adjacent lots.

10.3 Individual lot plantings may not exceed (5%) five percent of the total lot area and must be placed adjacent to the monument.

## **Section 11                      FEES CHARGES, AND PAYMENTS**

11.1 The payment of all fees and charges shall be made at the office of the City Treasurer in the City Hall or to the Cemetery Superintendent, where receipts will be issued for all amounts paid.

11.2 The following schedule of fees and charges is in effect and applicable to all portions of the Bangor Municipal Cemeteries. These fees and charges are subject to change without notice at such times, as the City may deem necessary.

A. Price of lots (including Perpetual of Endowed Care). The charge made for all lots shall be based on the number of graves that a lot will accommodate.



Cemetery lots- Price includes Perpetual Care

<u>Lot Size</u>	<u>Lot Price</u>	<u>Perpetual Care</u>	<u>Total Cost</u>
2 Grave Lot	300	300	600
Cremation lot	50	50	100

B. Annual Care: On certain lots in older portions of the Cemeteries no provisions were made in the lot charges for perpetual care or endowed care. An Annual Care charge may be made on such lots by the City for the upkeep and annual maintenance of such lots. Lot owners may, if they desire, secure perpetual or endowed care of such lots by paying the perpetual or endowed care charge as specified herein.

<u>Lot Size</u>	<u>Annual Care Charge</u>
All Lots	35.00 Annual Fee

C. Interments

The following fixed charges will be made by the City for opening all graves. This charge includes the opening of the grave, removal of excess material, refilling and seeding or sodding.

	<u>Weekday Charge</u>	<u>Weekend Charge</u>
Earth Burial	300	400
Cremation	100	175
Children and Babies buried in		
Vaults up to 3ft.	100	175

D. The rates for the section bounded on the East by Eastbrook Avenue and on the West by Westbrook Avenue in the City owned portion of Mt. Hope Cemetery shall be designated herein, and shall be restricted to Flush Markers. All Flush Markers will be laid on foundations as prescribed herein. No monuments shall be allowed in this section.

The rates for Block "G" in the City owned portion of Mt. Hope Cemetery shall be in accordance with the rate schedule for single grave lots, and shall be restricted to Flush Markers.

<u>Lot Size</u>	<u>Lot Price</u>	<u>Perpetual Care</u>	<u>Total Cost</u>
Single Grave	150	150	300